

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

SEP 18 2024

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

SACRAMENTO HOMELESS UNION,  
a local of the California Homeless  
Union/Statewide Organizing Council; et  
al.,

Plaintiffs - Appellees,

v.

CITY OF SACRAMENTO,

Defendant - Appellant,

and

COUNTY OF SACRAMENTO,

Defendant.

No. 23-16123

D.C. No. 2:22-cv-01095-TLN-KJN  
U.S. District Court for Eastern  
California, Sacramento

**MANDATE**

The judgment of this Court, entered March 15, 2024, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule  
41(a) of the Federal Rules of Appellate Procedure.

FOR THE COURT:

MOLLY C. DWYER  
CLERK OF COURT

UNITED STATES COURT OF APPEALS  
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MAR 15 2024

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

SACRAMENTO HOMELESS UNION, a  
local of the California Homeless  
Union/Statewide Organizing Council;  
BETTY RIOS; DONTA WILLIAMS;  
FALISHA SCOTT,

Plaintiffs-Appellees,

v.

CITY OF SACRAMENTO,

Defendant-Appellant,

and

COUNTY OF SACRAMENTO,

Defendant.

No. 23-16123

D.C. No.

2:22-cv-01095-TLN-KJN

Eastern District of California,  
Sacramento

ORDER

Before: McKEOWN and CHRISTEN, Circuit Judges, and EZRA,\* District Judge.

Because the preliminary injunction order of August 16, 2023, has expired, this appeal is dismissed as moot. *See Ahlman v. Barnes*, 20 F.4th 489, 493 (9th Cir. 2021). In light of the posture of the case below and the changing factual circumstances that may significantly impact the likelihood and scope of any future injunction, this appeal does not meet the standards for an exception to mootness.

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\* The Honorable David A. Ezra, United States District Judge for the District of Hawaii, sitting by designation.

*Id.* at 494–95. The motion for judicial notice, Dkt. No. 8, is also dismissed as moot. The court encourages the parties to pursue mediation.